

EXHIBIT 1

1 **THE CLERK:** February 12th at 9:00 a.m.

2 **THE COURT:** Okay, February 12th at 9:00 a.m. And
3 then I know there was an issue regarding interrogatories and I
4 think in all fairness to both sides, it should be the same. I
5 know we've got a lot of intervenors now on the Plaintiffs'
6 side. So I believe the State of Texas had proposed 50
7 interrogatories per side. Is there an objection from any of
8 the Plaintiffs and intervenors on that?

9 **MS. WESTFALL:** Yes, your Honor. This is Elizabeth
10 Westfall for the United States. We believe that it is not
11 appropriate to have fewer than 25 interrogatories --

12 **THE COURT:** Per party?

13 **MS. WESTFALL:** -- per party under the Federal Rules.
14 So we would request 25 interrogatories for the United States,
15 your Honor.

16 **THE COURT:** Okay. What's the position on the other
17 -- the D.C. Plaintiffs?

18 **MR. RIOS:** This is Mr. Rios. We don't have any
19 problems with what you suggested, your Honor.

20 **THE COURT:** Okay.

21 **MR. SPEAKER:** Your Honor, the State clearly leaves it
22 within the discretion of the Court.

23 **THE COURT:** Mr. Dunn?

24 **MR. DUNN:** Your Honor, we agree that a number of the
25 parties having the burden of proof are likely to need

1 additional interrogatories than others. What I would propose
2 is that the parties live within the 50 that the Court suggested
3 at this time and then when we come back in February, we can
4 address having more as necessary.

5 **THE COURT:** Or sooner if necessary but I'll set it at
6 50 interrogatories per side at this point and you can certainly
7 urge the Court for more on that if necessary and you can do
8 that by phone conference by calling Brandy if it's something
9 that needs to be addressed quickly. Okay?

10 And there is an agreement regarding a discovery order
11 which I'll sign. Is there any agreement regarding a protective
12 order?

13 **MS. WESTFALL:** Your Honor, this is Elizabeth Westfall
14 for the United States. We have circulated a draft of a
15 protective order and we submitted one most recently two days
16 ago. We're waiting for a response from the other parties and
17 requested that they provide a response by November 20th. So
18 hopefully we can reach agreement on the terms shortly.

19 **MR. TRAINOR:** Your Honor, this is Trey Trainor for
20 True the Vote and we have no objections to the United States'
21 protective order.

22 **THE COURT:** Okay. Anything else that needs to be
23 addressed this morning?

24 I don't hear anything. So I'm going to assume not
25 and I will move on then. If nothing further, you're excused.